

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF ISLAND COUNTY, WASHINGTON

IN THE MATTER OF ADOPTING  
AMENDMENTS TO ISLAND  
COUNTY CODE CHAPTER 17.03,  
RELATING TO SIGNAGE AND  
OUTDOOR LIGHTING STANDARDS

ORDINANCE NO. C-146-12  
PLG-009-12

**WHEREAS**, Island County conducts planning activities in accordance with Chapter 36.70 RCW, the Planning Enabling Act; and

**WHEREAS**, the planning process and the Island County Comprehensive Plan are further governed by Chapter 36.70A RCW, the Growth Management Act (GMA); and

**WHEREAS**, in order to comply with Chapters 36.70 and 36.70A RCW, Island County adopted its GMA Comprehensive Plan on September 29, 1998 by Ordinance C-123-98, with an effective date of December 1, 1998; and

**WHEREAS**, in order to implement the Island County GMA Comprehensive Plan, a system of zoning and development regulations were also adopted on September 29, 1998 by Ordinance C-123-98, with an effective date of December 1, 1998, thereby establishing Chapter 17.03 ICC, the Island County Zoning Code; and

**WHEREAS**, the development regulations adopted by the Board of Island County Commissioners in 1998 contained standards and regulations for signage and outdoor lighting; and

**WHEREAS**, ICC 17.03.040 contains definitions related to signage and outdoor lighting and ICC 17.03.180.R contains regulations and standards for signs and outdoor lighting; and

**WHEREAS**, ICC 16.26.020 provides that certain amendments to the development regulations that implement the comprehensive plan and for which no amendment to the comprehensive plan is required may be processed without being placed on the Annual Review Docket; and

**WHEREAS**, the Planning and Community Development Department believes that by simplifying and clarifying the existing signage and outdoor lighting standards it can improve customer service, better accommodate appropriate businesses in rural areas and protect the rural character of Island County; and

**WHEREAS**, at the direction of the Board, Island County Planning and Community Development prepared amendments to ICC 17.03.040 and ICC 17.03.180.R to simplify and clarify Island County's signage and outdoor lighting standards; and

**WHEREAS**, the proposed amendments implement the Comprehensive Plan and do not require an amendment to the Comprehensive Plan; and



**WHEREAS**, the State Environmental Policy Act (SEPA) responsible official for Island County issued a Determination of Non-Significance on October 4, 2012; and

**WHEREAS**, the draft amendments were transmitted to the Department of Commerce for the 60 day state agency review required by Chapter 36.70A RCW; and

**WHEREAS**, the proposed revisions to ICC have been reviewed by the Island County Planning Commission in public hearings on August 28, 2012, and September 25, 2012, and the Planning Commission recommended approval of the proposed revisions; and


**WHEREAS**, after considering the matter at public meetings, the Board of Island County Commissioners deems a change in the recommendations of the Planning Commission is necessary, as identified in Exhibit C, attached hereto; **NOW, THEREFORE,**

**IT IS HEREBY ORDAINED** that the Board of Island County Commissioners adopts amendments to ICC 17.03.040 and ICC 17.03.180.R attached hereto as Exhibit "A," and the Findings of Fact approved by the Planning Commission, attached hereto as Exhibit "B." Within Exhibit "A," material stricken through is deleted and material underlined is added. Exhibit "C," attached hereto, identifies the changes from the Planning Commission's recommendations and the Board's Findings of Fact, Statement of Factors Considered, and Analysis of Changes from Planning Commission's Recommendations.

**ADOPTED** this 18 day of DECEMBER, 2012 following public hearing.



**BOARD OF COUNTY COMMISSIONERS  
ISLAND COUNTY, WASHINGTON**

  
Helen Price Johnson, Chair

VOTED "OPPOSED"  
Kelly Emerson, Member

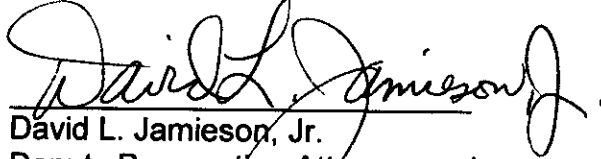
  
Angie Homola, Member

**ATTEST:**

  
Elaine Marlow  
Clerk of the Board



**APPROVED AS TO FORM:**

  
David L. Jamieson, Jr.  
Deputy Prosecuting Attorney and  
Island County Code Reviser



## **Exhibit "A"**

- **Revisions to ICC 17.03.040 (Definitions)**
- **Revisions to ICC 17.03.180.R (Signage and Outdoor Lighting Standards)**



h) Size and Height. The maximum Sign Area and height is set forth in the table below:

<u>Sign Type</u>	<b>Maximum Sign Area</b> (in square feet) <b>By Zoning District</b>											
	<u>Rural (R)</u> <u>Rural Ag (RA)</u> <u>Com Ag (CA)</u> <u>Rural Forest (RF)</u>	<u>Rural Residential (RR)</u>	<u>Rural Center (RC)</u> <u>Rural Village (RV)</u> <u>Rural Service (RS)</u>	<u>Camano Gateway (CGV)</u>	<u>LM</u>	<u>OH-R</u>	<u>OH-L</u> <u>OH-HSC</u> <u>OH-PBE</u> <u>OH-PIP</u>	<u>UGA-L</u>	<u>Airport (AP)</u>	<u>Au Sable (SD-ASB)</u>	<u>Greenbank Farm (SR-GF)</u>	<u>Parks (PK)</u>
<u>Home Industry/ Occupation</u>	2	2				2		2				
<u>Commercial / Office</u>	2		40/100 <sup>1</sup>	40/100 <sup>1</sup>	40/100 <sup>1</sup>		40/100 <sup>1</sup>		12		40/100 <sup>1</sup>	
<u>Multi-tenant premises</u>			40/200 <sup>2</sup>	40/200 <sup>2</sup>	40/200 <sup>2</sup>		40/200 <sup>2</sup>		24		40/200 <sup>2</sup>	
<u>Community Identification Signs</u>	12	12	12	12	12	12	12	12	12	12	12	12
<u>Subdivision Signs</u>	48	48	48	48	48	48	48	48	48	48	48	
<u>Public Use Signs</u>	48	48	48	48	48	48	48	48	48	48	48	48
<u>Agriculture Directional Signs</u> <sup>3</sup>	1.5	1.5	1.5		1.5				1.5	1.5	1.5	1.5
<b>Maximum Sign Height</b>												
<u>Free Standing Signs</u> <sup>4</sup>	8	8	18	18	18	8	18	8	18	8	8	8
<u>Fixed Signs</u>	May not extend above or beyond the eave, rake, or parapet of wall on which it is mounted											

<sup>1</sup> Total Sign Area shall not exceed 100 sq. ft. per business. No individual Sign shall exceed 40 sq. ft.

<sup>2</sup> Total Sign Area shall not exceed 200 sq. ft. per business. No individual Sign shall exceed 40 sq. ft.

<sup>3</sup> Per Sign blade

<sup>4</sup> Shall not exceed height of building housing the advertised business



## **Exhibit “B”**

- **Planning Commission Findings of Fact**





## ISLAND COUNTY PLANNING COMMISSION

Mitchell Howard, Chair

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**To:** Board of Island County Commissioners

**From:** Island County Planning Commission

**RE:** Findings of Fact - Revisions to Island County Sign Code – (PLG 009-12 & DRA 107/12)

**Date:** September 21, 2012

### Summary

The Island County Planning Commission is forwarding a Development Regulation Amendment that revises the sign and outdoor lighting standards in Island County Code (ICC 17.03.180.R).

### Findings

1. The Planning Commission finds that ICC 17.03.180.R contains the regulations for signs and outdoor lighting standards in unincorporated Island County.
2. The Planning Commission finds that ICC 17.03.180.R needs to be amended in order to clarify and modify the existing requirements for sign and outdoor lighting standards in order to make it easier for Island County staff and members of the public to interpret and apply these regulations.
3. The Planning Commission finds that adequate outreach to both the local business community and public was conducted by the Planning Department.
4. The Planning Commission finds that concerns raised by the public have been adequately addressed.
5. The Planning Commission finds that the concerns raised by the Island County Planning Commission have been adequately addressed.



6. The Planning Commission finds that the proposed amendments to section 17.03.180.R balance the need to protect the rural character of Island County with the needs of rural businesses.
7. The Planning Commission finds that certain aspects of the proposed ordinance are still under legal review and may be subject to minor changes before action by the Board of Island County Commissioners.

### Conclusion

The Island County Planning Commission has reviewed DRA 107/12 (PLG 009-12) and recommends that the Board of Island County Commissioners adopt the proposed amendments to Island County Code Section 17.03.180.R.

Respectfully submitted through the Island County Planning Department to the Board of Island County Commissioners, pursuant to RCW 36.70.430, this 25<sup>th</sup> day of September, 2012 by,

Mitchell Howard

Mitchell Howard  
Chair, Island County Planning Commission





## **Exhibit “C”**

- **Board’s Findings of Fact, Statement of Factors Considered, and Analysis of Changes from Planning Commission’s Recommendations.**





## ISLAND COUNTY PLANNING & COMMUNITY DEVELOPMENT

Robert H. Pederson, Director

PHONE: (360) 679-7339 ■ from Camano (360) 629-4522, Ext. 7339 ■ from S. Whidbey (360) 321-5111, Ext. 7339 FAX: (360) 679-7306 ■ 1 NE 6<sup>th</sup> Street, P. O. Box 5000, Coupeville, WA 98239-5000. Internet Home Page: <http://www.islandcounty.net/planning/>

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**TO: Board of Island County Commissioners**

**FROM: \_\_\_\_\_ Brad Johnson, Senior Planner**

**DATE: November 29, 2012**

**SUBJECT: PLG 009-12 / DRA 107-12 (Amendments to Sign & Lighting Regulations) – Findings of Fact to support changes from Planning Commission Recommendation**

### Summary:

On August 28, 2012 and September 25, 2012, the Island County Planning Commission held public hearings to consider proposed changes to the Island County signage and outdoor lighting standards (ICC 17.03.040 & 17.03.180.R). On September 25, 2012 the Planning Commission adopted written findings of fact recommending that the Board of Island County Commissioners (BICC) adopt the proposed changes. At a subsequent work session, the BICC formally requested that the Planning Department modify the signage and outdoor lighting standards recommended by the Planning Commission.

In accordance with RCW 36.70.630, if the BICC makes changes to a recommendation adopted by the Planning Commission they are required to produce their own findings of fact, setting forth the reasons for each change. In order to facilitate this process, the Planning Department has prepared the following "Findings of Fact, Statement of Factors Considered, and Analysis of Changes from the Planning Commission's Recommendations".

### Findings:

1. The Island County Planning Commission held two public hearings on August 28, 2012 and September 25, 2012 to consider proposed changes to the Island County signage and outdoor lighting standards (ICC 17.03.040 & 17.03.180.R).
2. On September 25, 2012 the Planning Commission voted to forward a recommendation to the BICC, recommending that the BICC adopt the proposed changes to the signage and outdoor lighting standards.

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2012 Sign Code Update  
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3. On September 25, 2012 the Planning Commission adopted written findings of fact in support of their recommendation to the BICC.
4. After considering the matter at a public meeting, the BICC has determined that it is necessary to deviate from the Planning Commission's recommendation.
5. When deviating from a recommendation adopted by the Planning Commission, Washington State law (RCW 36.70.620) requires that the BICC adopt its own findings of fact in support of any proposed deviations.
6. The BICC agrees with the findings of fact adopted by the Planning Commission except that the BICC finds that the following changes are necessary:
  - a. The BICC finds that it may be difficult for members of the public to visualize the intent of the "Agricultural Direction Sign" provisions. After discussing this matter with Planning Department staff at several public meetings, the BICC has determined that it is necessary for the Planning Department to maintain a handout which graphically illustrates the intent of the Agricultural Directional Sign provisions. Accordingly, the definition of "Agriculture Directional Sign" should be amended to clarify that the Planning Department will maintain and distribute handouts. Also the language of ICC 17.03.180.R.8.g should be amended to note the availability of handouts.
  - b. After reviewing the language of the proposed signage and lighting standards, the BICC has noted that the purpose and intent language encourages the use of signs. While the BICC believes that signs should be allowed, and may be an important component of successful rural businesses, the language of the code should be neutral rather than promotional. Accordingly, the BICC has determined that the purpose and intent language of ICC 17.030.180.R.1 must be revised to be more neutral.
  - c. The BICC finds that the exemption dealing with window signs and other signs mounted inside of buildings should be revised to specifically identify neon open signs. Neon open signs are a very common type of sign and the BICC believes that in order to provide the greatest level of clarity to the public, neon open signs must be specifically identified as an exemption in the code.
  - d. The BICC finds that with respect to appropriate aesthetic standards, there is a substantial difference between commercial Rural Areas of Intense Development (RAIDs) and other rural areas. Notably, commercial RAIDs are specifically intended to accommodate non residential development, whereas Island County's design standards are intended to control non-residential development in rural areas. The sign code recommended by

the Planning Commission applies the same illumination standards to signs located in RAIDs as it does to signs located outside of RAIDs. Therefore, the BICC believes that ICC 17.03.180.R.7.c.i should be amended to allow for internally illuminated signs in the following zones: Rural Center, Rural Village, Rural Service, and Camano Gateway Village.

- e. The sign code revisions recommended by the Planning Commission contained specific provisions for authorizing signs within public rights-of-way. Specifically, ICC 17.03.180.R.7.g.i stated that: *"No sign shall be placed within a public right-of-way unless specifically authorized by Island County in accordance with ICC 12.24.020 or through a temporary sign permit"*. After consulting with the Prosecuting Attorney's office the BICC has determined that allowing two separate methods for permitting signs in the right-of-way would introduce unnecessary confusion and may result in conflicting permit procedures. Accordingly, the BICC finds that it is necessary to remove the language from the proposed code which allows signs in the right-of-way to be authorized through a temporary sign permit.

Recommendation:

The Planning Department recommends that the BICC adopt the "Findings of Fact, Statement of Factors Considered, and Analysis of Changes from the Planning Commission's Recommendations" presented above and attach this document to the ordinance.

